

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

THYSSENKRUPP MATERIALS,
LLC,

Plaintiff,

Case No. 4:20-cv-11087
Hon. Matthew F. Leitman

v.

TRIUMPH GROUP, INC. and
TRIUMPH AEROSTRUCTURES,
LLC,

Defendants.

/

STIPULATED ORDER CONCERNING ARBITRATION

This matter is before the Court by way of the following stipulation of the parties and in lieu of a joint motion for stipulated relief. The parties through their undersigned counsel hereby stipulate to the following:

1. For purposes of this civil action only, Defendants Triumph Group, Inc. and Triumph Aerostructures, LLC hereby waive any potential objection or challenge to this Court's exercise of personal jurisdiction over both Defendants, Defendants admit Plaintiff's factual allegations concerning citizenship of the parties for purposes of diversity of citizenship subject matter jurisdiction (specifically ¶¶ 6, 7, 8, 9, 10

and 11 of Plaintiff's Complaint, ECF No. 1, and only those six paragraphs), and waive any potential objection or challenge to venue in this Court.

2. Subject to the terms of the Federal Arbitration Act, 9 U.S.C. 1 *et seq*, Plaintiff and Defendants have agreed to submit this dispute to final and binding arbitration before the American Arbitration Association ("AAA") and agree that this Honorable Court will enter a final judgment in this civil action in accordance with the Arbitrator's award.

3. Defendants Triumph Group, Inc. and Triumph Aerostructures, LLC hereby reserve their right to contest personal jurisdiction to the extent they are joined or named as parties to any other civil action brought by thyssenkrupp Materials, LLC. Defendants Triumph Group, Inc. and Triumph Aerostructures, LLC further reserve their right to contest personal jurisdiction in any other matter where they may be named as a party in any state or federal courts in Michigan.

4. Plaintiff and Defendants hereby request that this Honorable Court enter an Order staying this civil action pursuant to the Federal Arbitration Act pending the issuance of an arbitration award or until further order of this Court.

WHEREFORE, based on these stipulations of the parties, and the Court otherwise finding that the requested relief is appropriate:

IT IS HEREBY ORDERED that this matter is stayed pending the AAA arbitration and issuance of an award, or until further Order of this Court.

IT IS FURTHER ORDERED that this Honorable Court will enter a final judgment in this civil action in accordance with the Arbitrator's award, subject to the terms of the Federal Arbitration Act, 9 U.S.C. 1 *et seq.*

IT IS SO ORDERED.

/s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 22, 2020

Stipulated and Approved for Entry:

/s/ Thomas H. Walters
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